

## REMARKS

Claims 1-7, 9-19 and 21-26 were previously pending in this application. All claims stand rejected. In response to the Office Action, applicants amend claims 5 and 10, cancel claims 11, 19 and 21-26 and add new claims 27-29 to give applicants the full scope of the protection to which they consider themselves entitled.

In response to Paragraph 2 of the Office Action, claim 5 has been amended to specify that the display receiver comprises control circuitry disposed on the substrate; basis for this amendment is found, *inter alia*, at page 26, line 11 of the specification. Similarly, claim 10 has been amended to specify that the control system is arranged to generate reports on the history and status of the data receiver; basis for this amendment is found, *inter alia*, at page 36, lines 6-7 of the specification. The remaining claims 11, 19, 23 and 26 referred to in Paragraph 2 of the Office Action have all been cancelled. It is respectfully submitted that these amendments must be sufficient to overcome the objection to the specification set out in Paragraphs 1 and 2 of the Office Action.

It is further respectfully submitted that the objection to the drawings set out in Paragraph 3 of the Office Action is moot in view of the aforementioned amendment to claim 5, and similarly that the 35 USC 112 rejection of claims 10, 19 and 21-25 set out in Paragraph 4 of the Office Action is moot in view of the aforementioned amendment to claim 10 and the cancellation of claims 19 and 21-25.

The 35 USC 102(e) rejection of claims 1-7 and 9-26 as anticipated by Gelbman, U.S. Patent No. 6,924,781, and the related 35 USC 103(a) rejection of claims 15-18, 21, 22 and 24 as unpatentable over Gelbman in view of Robertson, U.S. Patent No. 6,269,369, as set out in Paragraphs 5-8 of the Office Action are traversed. More specifically, these rejections are traversed on the grounds that Gelbman is not available as a reference against this application under 35 USC 102(e).

This application is a continuation of Application Serial No. 09/432,343, filed November 2, 1999, which itself claims benefit of Provisional Application Serial No. 60/106,713, filed November 2, 1998. Gelbman was issued on Application Serial No. 09/393,553, filed September 10, 1999 and claiming benefit of Provisional Application Serial No. 60/099,888, filed September 11, 1998. Accordingly, the earliest 35 USC 102(e) date to which any material in

Gelbman can be entitled is September 11, 1998. There is filed herewith a Declaration under 37 CFR 1.131 by the inventor, Mr. Holly Gates, establishing that the present inventors were in possession of the present invention prior to September 11, 1998. Accordingly, Gelbman is not available as a reference against the present application under 35 USC 102(e) and these 102 and 103 rejections are unjustified.

The 35 USC 103 rejection of claims 1-3, 9, 12 and 14 as unpatentable over Carter et al., U.S. Patent No. 4,093,534, in view of DiSanto et al., U.S. Patent No. 5,508,720, as set out in Paragraph 9 of the Office Action, and the related 35 USC 103(a) rejections of other claims as unpatentable over Carter, DiSanto and various additional references, as set forth in Paragraphs 10-14 of the Office Action, are traversed. More specifically, these rejections are traversed on the grounds that neither Carter nor DiSanto describes an electrically active display having a plurality of cavities disposed in a polymeric matrix, at least one of these cavities containing an electrophoretic contrast medium, as required by all the present claims.

The Office Action states that Carter describes such a medium, directing attention to Figures 8 and 9 of Carter for disclosure of the plurality of cavities. With respect, this is a misreading of Carter's Figures 8 and 9. As may readily be seen from column 5, lines 16-39 of Carter, Figures 8 and 9 illustrate electrodes divided into a number of strips or bars, not an electrophoretic display divided into multiple cavities. As the Examiner is no doubt aware, it is common practice in unencapsulated electrophoretic displays to have multiple electrodes operating on an electrophoretic medium confined within a single cavity and it is this arrangement which is used in Carter. The Office Action does not suggest that any of the references other than Carter show multiple cavities as required by the present claims, and the applicants agree. Accordingly, none of the present claims are obvious over Carter and DiSanto.

For all the foregoing reasons, the objections and rejections in the Office Action are unjustified and should be withdrawn.

As already mentioned, claims 27-29 have been added to give applicants the full scope of the protection to which they consider themselves entitled. Claim 27, although drafted in independent form, is essentially directed to a display system in accordance with claim 1 having multiple data receivers, and in which the control system has input means arranged to enable a user to assign messages to all of the multiple data receivers or to a subset thereof. Basis for claim

27 may be found, *inter alia*, in claim 1, Figure 10 and page 36, lines 4-9 of the specification. Claim 28 is directed to a display system according to claim 27 having the additional feature of claim 10, while claim 29 is directed to a display system according to claim 27 having the additional feature of claim 12.

No new matter is introduced by the foregoing amendments.

Reconsideration and allowance of all claims now present in this application is respectfully requested.

This application now contains 19 claims, including 2 independent claims. Accordingly, no additional claim fees are required by this Amendment. However, since the normal period for responding to the non-final Office Action expired August 3, a Petition for a three month extension of this period is filed herewith.

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